IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6585 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI
and
Hon'ble MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

MAHENDRA MILLS LTD

Versus

UNION OF INDIA

Appearance:

1. Special Civil Application No. 6585 of 1988
MR KK TRIVEDI for MR KS NANAVATI for Petitioner No. 1-2
MR DN PATEL for Respondent No. 1-4

CORAM : MR.JUSTICE R.K.ABICHANDANI
and
MR.JUSTICE A.L.DAVE

Date of decision: 23/01/2003

ORAL JUDGEMENT

(Per : MR.JUSTICE R.K.ABICHANDANI)

The learned counsel for the petitioners states that the petitioners will make an application before the Assistant Commissioner/Deputy Commissioner for reconsidering the impugned order in light of the decision of the Supreme Court in Mafatlal Industries Ltd. Vs. Union of India, reported in 1997 (89) E.L.T. 247 (S.C.) and the decision in Collector of Central Excise, Kochin Vs. Western India Plywood, reported in 1997 (94) E.L.T. 7 (S.C.), within two months from today. The learned counsel appearing for the respondent-authorities states that if such application is made, it shall be duly considered in accordance with law and in light of the decisions of the Supreme Court and a decision will be taken thereon expeditiously. In view of this arrangement, the petition does not survive. Rule is, therefore, discharged with no order as to costs.

[R.K. ABICHANDANI, J.]

[A.L. DAVE, J.]

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